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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/668,700	09/22/2000	Joachim Kim	44400.010100	2337

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EXAMINER

USTARIS, JOSEPH G

ART UNIT	PAPER NUMBER
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2611

DATE MAILED: 05/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/668,700

Applicant(s)

KIM, JOACHIM

Examiner

Joseph G Ustaris

Art Unit

2611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 September 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☒ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 5.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## **DETAILED ACTION**

### ***Oath/Declaration***

1. Applicant has not given a post office address anywhere in the application papers as required by 37 CFR 1.33(a), which was in effect at the time of filing of the oath or declaration. A statement over applicant's signature providing a complete post office address is required.

### ***Drawings***

2. The drawings are objected to because they do not comply with **§ 1.84(a)(1)**. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-7, 9-12, 14, and 16 are rejected under 35 U.S.C. 102(b) as being anticipated by Ottesen et al. (US005930493A).

Regarding claim 1, Ottesen et al. (Ottesen) discloses a multimedia server system that is utilized over a network (See column 8 lines 18-35). The multimedia server or

“capture server” comprises one or more mass storage devices or “data storage device” that stores multimedia programs or “time sequenced media content” in an addressable manner. The multimedia server uses a coder or “encoder” to convert analog audio/video signals received from a broadcast channel or “media signal” into a digital format, wherein inherently the video in digital form comprises digital frames (See Fig. 4 and column 9 lines 25-67). The index parsers or “converter” then divides the compressed digital multimedia program into a plurality of video segments or “plurality of sequential media blocks”, wherein the segments contain consecutively ordered full-motion video portions or “consecutive number of digital frames” and inherently the corresponding audio (See column 9 lines 25-45 and column 10 lines 45-51). The index parsers also serve the functions of the “storage manager” and “storing processor” by encoding a unique segment address to the video segments and storing the segments within the storage device so that the segments can be easily located (See column 9 line 45 – column 10 line 10).

Regarding claim 2, the segments are representative of a predetermined amount of full-motion video or “predetermined number of digital frames” (See column 9 lines 30-45 and column 11 lines 39-45).

Regarding claim 3, the network is a wide-area network (See column 8 lines 18-34).

Regarding claim 4, the network is also a “storage area network”, wherein the storage devices are located at a plurality of sites within the network (See column 8 lines 18-34).

Regarding claim 5, the coder is a MPEG coder (See column 10 lines 65-67 and column 11 lines 15-20).

Regarding claim 6, the multimedia server receives multimedia programs from a broadcast channel or "broadcast channel television signal" (See column 10 lines 40-45).

Regarding claim 7, the predetermined amount is either one or two seconds of full motion video or "period between 1 second and 5 minutes" (See column 9 lines 25-45 and column 10 lines 45-65).

Claim 9 contains the limitations of claim 1 (wherein the multimedia server can receive a digital signal or "digital media signal" (See column 10 lines 40-45)) and is analyzed as previously discussed with respect to that claim.

Claim 10 contains the limitations of claims 2 and 9 and is analyzed as previously discussed with respect to those claims.

Claim 11 contains the limitations of claims 3 and 10 and is analyzed as previously discussed with respect to those claims.

Claim 12 contains the limitations of claims 4 and 10 and is analyzed as previously discussed with respect to those claims.

Claim 14 contains the limitations of claims 7 and 10 and is analyzed as previously discussed with respect to those claims.

Claim 16 contains the limitations of claims 1 and 9 (wherein the system performs the method) and is analyzed as previously discussed with respect to those claims.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 8 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ottesen et al. (US005930493A) in view of DuLac (US005899582A).

Claim 8 contains the limitations of claims 1 and 2 and is analyzed as previously discussed with respect to those claims. However, Ottesen lacks a system where the predetermined amount is a period of approximately 1 minute.

Ottesen suggests that the segments can represent portions of video more than one second (See column 9 lines 40-45). DuLac discloses a movie-on-demand disk storage system. Digital movies that are stored on disk are divided into one or two minute segments (See column 2 line 65 – column 3 line 7 and column 3 lines 15-26). Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify the index parsers of the multimedia server disclosed by Ottesen to divide the compressed video into segments representative of approximately 1 minute, as taught by DuLac, in order to reduce the seek and access time for searching segments, thus enabling the system to respond quicker to user's VCR-type control commands.

Claim 15 contains the limitations of claims 8 and 10 and is analyzed as previously discussed with respect to those claims.

Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ottesen et al. (US005930493A).

Claim 13 contains the limitations of claim 10 and is analyzed as previously discussed with respect to that claim. However, Ottesen lacks the additional feature where the received digital media signal is an MPEG signal.

Official Notice is taken that it is well known to transmit and receive digital signals in an MPEG format. Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify the digital signal received by the multimedia server disclosed by Ottesen to be a MPEG signal so that the signal would be in accordance with a well known and established compression thereby ensuring greater compatibility between servers.

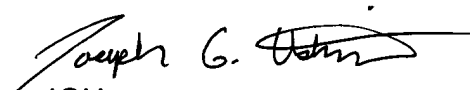
### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Please take note of Biliris et al. (US005720037A) and Ueno et al. (US006438596B1) for similar methods of dividing media into a plurality of segments.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph Ustaris whose telephone number is (703) 305-0377. The examiner can normally be reached on Monday-Friday with alternate Fridays off from 7:30 A.M. to 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Faile, can be reached on (703) 305-4380. The fax phone number for this Group is (703) 872-9306.

Any inquiry of general nature or relating to the status of this application or proceeding should be directed to the Group Receptionist whose telephone number is (703) 305-4700.

  
JGU  
April 22, 2004

  
VIVEK SRIVASTAVA  
PRIMARY EXAMINER